

Amendments to Senate Bill No. 507  
1st Reading Copy

Requested by Senator Bob Story

For the Senate Taxation Committee

Prepared by Lee Heiman  
March 24, 2009 (8:12am)

SENATE TAXATION  
EXHIBIT NO. 1  
DATE 3.24.09  
BILL NO. SB507

1. Page 1, line 21.

**Strike:** "the full market value is paid for the use of the riverbed"

**Insert:** "statutory provisions are met"

2. Page 1, line 27.

**Strike:** "and"

3. Page 1, line 29.

**Following:** "riverbed"

**Insert:** "; and"

(f) the department has not consistently required payment for riverbed uses over time"

4. Page 2, line 8.

**Strike:** "of adjacent property"

**Insert:** "as determined by rule or statute"

5. Page 3, line 2.

**Following:** "board."

**Insert:** "The authorization must be approved if the requirements of this section are met."

6. Page 3, line 14.

**Strike:** "or"

7. Page 3, line 16.

**Following:** "act]"

**Insert:** "; or"

(d) associated with a power site regulated pursuant to Title 77, chapter 4, part 2"

8. Page 3, line 29.

**Following:** "factors."

**Insert:** "There is no presumption of navigability because an entity has applied for or received a lease, license, or easement."

9. Page 4, line 10.

**Following:** the second "footprint"

**Insert:** "and the applicant has the appropriate state or federal permits"

10. Page 4, line 14.

**Following:** "that"

**Insert:** "the department asserts"

11. Page 4, line 21.

**Insert:** "(5) Rules must be adopted under this section pursuant to Title 2, chapter 4, but any appeal of the location of navigable rivers is not a contested case or subject to judicial review under Title 2, chapter 4, part 7. An appeal must be filed in district court for a trial de novo for determination of navigability for title purposes. A determination by the board pursuant to subsection (1) is not considered a presumption of navigability."

12. Page 5, line 22.

**Following:** "state"

**Insert:** "or are not school trust lands"

- END -